

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

**SECURITIES AND EXCHANGE
COMMISSION,**

Plaintiff,

vs.

**RRBB ASSET MANAGEMENT,
LLC and CARL S. SCHWARTZ,**

Defendants.

Case No. 2:20-cv-12523-KM-ESK

**STIPULATION AND ORDER OF DISMISSAL AS TO DEFENDANT
RRBB ASSET MANAGEMENT, LLC**

WHEREAS, Plaintiff Securities and Exchange Commission has filed a complaint against Defendants RRBB Asset Management, LLC (“RRBBAM”) and Carl S. Schwartz (Dkt. No. 1) and both defendants have answered (Dkt. No. 35) (collectively, “the Parties”).

WHEREAS, RRBBAM has ceased operations, has no assets, and has withdrawn its registration with the Commission as an investment adviser.

In light of these developments, the Parties hereby stipulate and agree that Defendant RRBBAM be dismissed from this action, without a court order, pursuant

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to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure.

SO STIPULATED

Dated: May 8, 2023

/s/ Donald W. Searles
Donald W. Searles
Attorney for Plaintiff
Securities and Exchange Commission

Dated: May 8, 2023

/s/ Caryn G. Schectman
DLA Piper
Attorney for Defendant
Carl S. Schwartz

Dated: May 8, 2023

/s/ Matt Tornincasa
Shendell Pollock, P.L.
Attorney for Defendant RRBBAM

IT IS SO ORDERED.

s/ Kevin McNulty
Hon. Kevin McNulty
U.S. District Judge
Date: 5/9/2023

PROOF OF SERVICE

I am over the age of 18 years and not a party to this action. My business address is:

U.S. SECURITIES AND EXCHANGE COMMISSION,
444 S. Flower Street, Suite 900, Los Angeles, California 90071
Telephone No. (323) 965-3998; Facsimile No. (213) 443-1904.

On May 8, 2023, I caused to be served the document entitled **STIPULATION OF DISMISSAL AS TO DEFENDANT RRBB ASSET MANAGEMENT, LLC** on all the parties to this action addressed as stated on the attached service list:

- ☐ **OFFICE MAIL:** By placing in sealed envelope(s), which I placed for collection and mailing today following ordinary business practices. I am readily familiar with this agency's practice for collection and processing of correspondence for mailing; such correspondence would be deposited with the U.S. Postal Service on the same day in the ordinary course of business.
- ☐ **PERSONAL DEPOSIT IN MAIL:** By placing in sealed envelope(s), which I personally deposited with the U.S. Postal Service. Each such envelope was deposited with the U.S. Postal Service at Los Angeles, California, with first class postage thereon fully prepaid.
- ☐ **EXPRESS U.S. MAIL:** Each such envelope was deposited in a facility regularly maintained at the U.S. Postal Service for receipt of Express Mail at Los Angeles, California, with Express Mail postage paid.
- ☐ **HAND DELIVERY:** I caused to be hand delivered each such envelope to the office of the addressee as stated on the attached service list.
- ☐ **UNITED PARCEL SERVICE:** By placing in sealed envelope(s) designated by United Parcel Service ("UPS") with delivery fees paid or provided for, which I deposited in a facility regularly maintained by UPS or delivered to a UPS courier, at Los Angeles, California.
- ☒ **E-FILING:** By causing the document to be electronically filed via the Court's CM/ECF system, which effects electronic service on counsel who are registered with the CM/ECF system. I declare under penalty of perjury that the foregoing is true and correct.

Date: May 8, 2023

/s/ Donald W. Searles

Donald W. Searles

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY
2:20-cv-12523-KM-ESK
SERVICE LIST**

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Schwartz*